

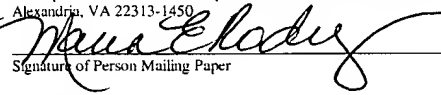


PATENT  
DOCKET NO. PT03191UC01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S) SUAREZ, GUSTAVO G. GROUP ART UNIT: 2177  
APPLN. NO.: 09/686,672 EXAMINER: Lewis, Cheryl Renea  
FILED: 10/11/2000 Confirmation No. 6883  
TITLE: METHOD AND APPARATUS FOR COMMUNICATION WITHIN A  
VEHICLE DISPATCH SYSTEM

5/12/04

Certificate of Mailing  
Date of deposit: 5/12/04  
I hereby certify that this paper is being deposited with the United States Postal Service on the date indicated above, as first-class mail, with sufficient postage attached thereto, in an envelope addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.  
  
Signature of Person Mailing Paper  
Maria E. Rodriguez  
Printed Name of Person Mailing Paper

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**DECLARATION OF PRIOR INVENTION IN THE UNITED STATES  
TO OVERCOME CITED PATENT OR PUBLICATION (37 C.F.R. §1.131)**

**PURPOSE OF DECLARATION**

1. This declaration is to establish completion of the invention in this application in the United States, at a date prior to May 10, 1999, that is the effective date of the prior art:

- ☐ Publication
- ☒ Patent – US Patent Number 6,577,874 to Dailey

That was cited by the

- ☒ Examiner
- ☐ Applicant

2. The person making this declaration is (are):

- ☒ The inventor(s)
- ☐ Only some of the joint inventor(s)  
(and a suitable excuse is attached for failure of the omitted joint inventor(s) to sign)
- ☐ The party in interest  
(and a suitable explanation as why it is not possible to produce the declaration of the inventor(s) is attached)

### **FACTS AND DOCUMENTARY EVIDENCE**

3. To establish the date of completion of the invention of this application, the following attached documents and/or models are submitted as evidence: (check all applicable items below)

- ☐ Sketches
- ☐ Blueprints
- ☐ Photographs
- ☐ Reproduction(s) of notebook entries
- ☐ Model
- ☐ Supporting statement(s) by witness(es) (where verbal disclosures are the evidence relied upon)
- ☒ Other: Motorola dated and witnessed patent disclosure

4. From these documents and/or models, it can be seen that the invention in this application was made

- ☐ On \_\_\_\_\_
- ☒ At least by the date of December 18, 1998, which is a date earlier than the effective date of the reference.

## **DILIGENCE**

5. Attached is a statement establishing the diligence of the applicant, from the time of their conception, to a time just prior to the date of the reference, up to the:
- ☐ Actual reduction to practice
  - ☒ Filing of this application

## **TIME PRESENTATION OF THE DECLARATION**

(Complete (a), (b), or (c))

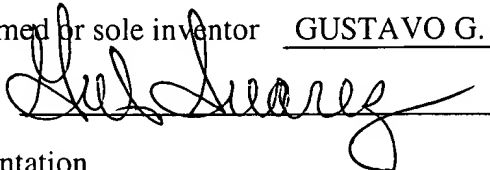
- 6.
- ☒ (a) This declaration is submitted prior to final rejection
  - ☐ (b) This declaration is submitted with the first response after final rejection, and is for the purpose of overcoming a new ground of rejection or requirement made in the final rejection
  - ☐ (c) This declaration is submitted after final rejection. A showing under 37 C.F.R. §1.116(b) is submitted herewith

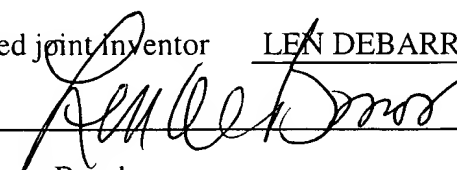
## **DECLARATION**

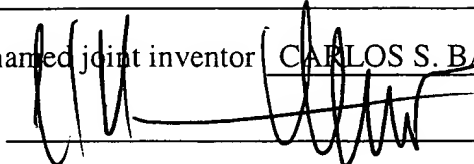
7. As a person signing below:

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

### SIGNATURES

Full name of first-named or sole inventor <u>GUSTAVO G. SUAREZ</u>		
Inventor's signature <u></u>	Date <u>5/12/2004</u>	
Residence	Plantation	FL
	City	State or Foreign Country
Citizenship	<u>United States of America</u>	
	Country	
Post Office Address	<u>PMB 151-1802 N. UNIVERSITY DRIVE, #102</u>	
	Street Address	
Plantation	FL	33322
City	State or Country	Zip Code

Full name of third-named joint inventor	LEN DEBARROS		
Inventor's signature			Date
			5/24/09
Residence	Hillsboro Beach	FL	
	City	State or Foreign Country	
Citizenship	United States		
	Country		
Post Office Address	1228 Hillsboro Mile, Apt. 303		
	Street Address		
	Hillsboro Beach	FL	30062
	City	State or Country	Zip Code

Full name of second-named joint inventor			CARLOS S. BARADELLO
Inventor's signature		Date	
		5/21/04.	
Residence	Tiburon	CA	
	City	State or Foreign Country	
Citizenship	Argentina/Italy		
	Country		
Post Office Address	31 Mark Terrace		
	Street Address		
Tiburon	CA	94920	
City	State or Country	Zip Code	

PATENT



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FILED: 10/11/2000 Confirmation No. 6883  
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Signature of Person Mailing Paper

Maria E. Rodriguez

Printed Name of Person Mailing Paper

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**STATEMENT ESTABLISHING THE DILIGENCE OF APPLICANTS**

This statement establishes the diligence of the applicants, in the above-subjected application, from the time of their conception, to a time just prior to the date of the reference, up to the filing of this application.

1. We are the joint inventors of all claims of the above-identified patent application.
2. Prior to December 18, 1998, we conceived, in the United States of America, the idea of a "Method and Apparatus for Communication within a Vehicle Dispatch System" as described and

claimed in our patent application. A patent disclosure containing a written description of the invention and drawings was prepared and signed by us prior to December 18, 1998, and submitted to the Motorola Patent Committee for review. A copy of the patent disclosure is attached hereto as Exhibit A.

3. The disclosure was taken up in reasonably regular order and reviewed by the Motorola Patent Committee on January 12, 1999.

4. Motorola's Boynton Beach, Florida Patent Department began work on the application on or before June 28, 1999 (Exhibit B). The application was taken up in reasonably regular order, and in customary procedure.

5. Between June 28, 1999 and August 2, 1999, I discussed the application with Motorola patent attorneys/agents and reviewed drafts of the application.

6. The parent application was filed on August 2, 1999.

7. The present patent application, a continuation of the parent application, was filed on October 11, 2000.



Gustavo G. Suarez  
GUSTAVO G. SUAREZ

DATE: 5/12/2004

STATE OF FLORIDA )

SS:

COUNTY OF BROWARD )

The undersigned Notary Public, in and for the County and State aforesaid, does hereby certify that GUSTAVO G. SUAREZ, who is personally known to me and whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that he signed, sealed and delivered said instrument as his free and voluntary act and deed for the uses and purposes therein set forth.

Witness my hand and official seal this 12 day of May, 2004.

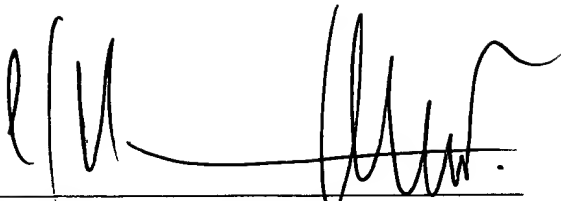
My commission expires



Maria E. Rodriguez  
Notary Public Signature

MARIA E. RODRIGUEZ  
Printed Name of Notary Public

☒ GUSTAVO G. SUAREZ is personally known to me

  
CARLOS S. BARADELLO

DATE: 5/21/04.

STATE OF CALIFORNIA )

ss:


COUNTY OF MARIN )

The undersigned Notary Public, in and for the County and State aforesaid, does hereby certify that CARLOS S. BARADELLO, who is personally known to me and whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that he signed, sealed and delivered said instrument as his free and voluntary act and deed for the uses and purposes therein set forth.

Witness my hand and official seal this 21ST day of MAY, 2004.

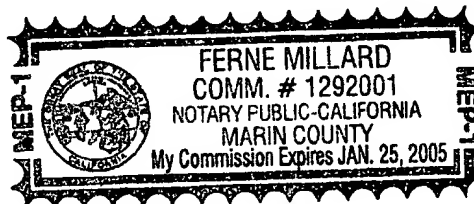
My commission expires:

JANUARY 25, 2005

  
Notary Public Signature

FERNE MILLARD  
Printed Name of Notary Public

☒ CARLOS S. BARADELLO is personally known to me



LEN DEBARROS  
LEN DEBARROS

DATE: 5/24/04

STATE OF FLORIDA )

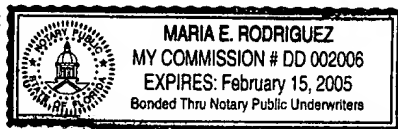
SS:

COUNTY OF BROWARD )

The undersigned Notary Public, in and for the County and State aforesaid, does hereby certify that LEN DEBARROS, who is personally known to me and whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that he signed, sealed and delivered said instrument as his free and voluntary act and deed for the uses and purposes therein set forth.

Witness my hand and official seal this 24 day of May, 2004.

My commission expires:



Maria E Rodriguez  
Notary Public Signature

MARIA E RODRIGUEZ  
Printed Name of Notary Public

☐ LEN DEBARROS is personally known to me

**STATEMENT UNDER 37 CFR 3.73 (b)**

Applicant/Patent Owner: SUAREZ, GUSTAVO G.  
Application No./Patent No.: 09/686,672 Filed/Issue Date: 10/11/2000  
Entitled: METHOD AND APPARATUS FOR COMMUNICATION WITHIN A VEHICLE DISPATCH SYSTEM  
Motorola, Inc. a corporation,  
(Name of Assignee) (Type of Assignee e.g., corporation, partnership, university, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest.  
The extent (by, percentage) of its ownership interest is \_\_\_\_\_ %

In the patent application/patent identified above by virtue of either:

- A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel 11176, Frame 0792, or for which a copy thereof is attached.

OR

- B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current current assignee as shown below:

1. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_ or for which a copy thereof is attached.
2. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_ or for which a copy thereof is attached.
3. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_ or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

☐ Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

5/26/04

Date

Randi L. Karpinia

Typed or printed name

Signature

Attorney - Reg. No. 46,148

Title

**RECEIVED**

JUN 07 2004

Technology Center 2100